UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

May 7, 2013

REPLY TO THE ATTENTION OF:

Mr. Allen H. Sunderman
Short Elliott Hendrickson, Inc.
3535 Vadnais Center Drive
Saint Paul, Minnesota 55304

RE: Response Action Plan, Trunk Highway 7 and Louisiana Avenue Interchange Project, Reilly Tar & Chemical Superfund Site

Dear Mr. Sunderman:

The Minnesota Pollution Control Agency (MPCA) Superfund Section and the U.S. Environmental Protection Agency (EPA) received the revised Response Action Plan, Trunk Highway 7 and Louisiana Interchange from SEH Inc. on behalf of the City of St. Louis Park on March 29, 2013. The City of St. Louis Park is required to present for the agencies' approval a Response Action Plan for this project pursuant to the Consent Decree for the Reilly Tar & Chemical Superfund Site (Civil No. 4-80-469). Staff from both Agencies have reviewed the plan and have the following additional comments. At this time, the Response Action Plan (RAP) is not yet approved. The agencies are concerned with measures outlined for this project that relate to soil and water management, and request these comments be addressed in a revised RAP.

1. Section 1.0 Introduction. The first sentence was not corrected. MPCA should be removed.

2. Section 2.1.4 Second Paragraph. Change EPA to MPCA.

3. Section 4.1.2 Unregulated fill. Comment was not addressed regarding pH testing for unregulated fill. List pH below the characteristically hazardous level as a criterion for unrestricted reuse.

4. Section 4.1.5 Hazardous soil. This is a circular argument in the text regarding Toxicity Characteristic Leaching Procedure testing. All excavated soil must be analyzed for purposes of disposition (characterization as described in Section 5.2.1.4 with the addition of pH). State here how this will be done. All soils impacted by this project are potentially and likely contaminated with hazardous substances due to the Reilly Superfund Site and the shallow depth to groundwater.

5. Section 4.4.1 Approval of disposal location is required for soil generated from anywhere impacted by Reilly operations, not just the National Priorities List parcel.

6. Section 4.4.2 MSP SLP Apartments. Tier 2 Soil Reference Values (SRVs) are not applicable to hazardous waste. Clarify the last sentence. Operational contingency plans should be provided instead of referenced. Soil that exceeds SRVs will need to be regulated.

7. Section 4.4.4 Voluntary Investigation and Cleanup program language. "This RAP serves as application to the commissioner to approve the construction activities that will occur on the property." Please clarify what this means.

8. Section 5.1 General Construction. Add the response from the comment letter to text in RAP. Sides and bottom of the excavation should be sampled and analyzed for appropriate parameters as specified in MPCA *Risk Based Site Characterization and Sampling Guidance* document.

9. Section 5.2.1.1 Field screening. Will all excavated soil be stockpiled in one place or another? What happens to soil not visually impacted? Use "will be sampled" instead of "may". Soil excavated from the Reilly site, including soil outside the former Reilly property, shall be considered to be impacted by polycyclic aromatic hydrocarbon (PAH) contamination. All soils must be segregated, properly sampled and analyzed for PAH compounds. Sample collection and analysis must follow methodology provided in MPCA Risk Based Site Characterization and Sampling Guidance document.

10. Section 5.2.1.2 Field screening of muck. Add comment response to text of RAP. Will the same screening methods as 5.2.1.4 be applied for disposal to a landfill? It's unclear if muck was sampled in the Phase II Report. (Sample and then dispose; use same procedures as soil.) Muck excavated from the Reilly site, including material outside the former Reilly property will be properly sampled and analyzed for PAH compounds consistent with current MPCA Risk *Based Site Characterization and Sampling Guidance* document.

11. Section 5.2.1.3 Stockpiling. Add response from comment letter to text in this RAP. The last sentence of the comment is not addressed. Place soils on an impermeable surface. Clarify muck special excavation provisions as stated in the response to comments.

12. Section 5.2.1.4 Stockpile characterization. Stockpiles need pH testing. Representative sampling is key to stockpile characterization. Please refer to additional stockpile sampling guidance contained in Minnesota Department of Agriculture Soil Sampling Guidance Document 11 (http://www.mda.state.mn.us/~/media/Files/chemicals/guidancedocs/gd11.ashx). Do these the parameters align with the characterization required by the landfill(s)? The last sentence of the first paragraph should read "Samples will be collected from stockpiles *and analyzed* for the following parameters:"

13. Section 5.2.1.5 Contaminated soil should not be placed on a pervious surface at all.

14. Section 5.2.1.6. Landfills will be approved to ensure they meet the Off-Site Rule. Soil that does not meet unrestricted use criteria that cannot be beneficially reused on the project but does not exceed hazardous waste criteria as determined by TCLP analysis will be disposed of or used as daily cover at a permitted landfill.

15. Section 5.2.3 Calcium hydroxide impacted fill is contaminated with other chemicals as well, from the Reilly site. This soil should not receive special treatment in terms of management. It must be characterized for meeting the criteria for unregulated fill, including a pH < 12.5. Post-sampling after mixing is not addressed in Section 5.2.1.5; that section addresses sampling beneath a stockpile. For reuse eligibility, the contractor must show that the soil is no longer corrosive. Describe the mixing process and provide a contingency plan if mixing soil is not available.

16. Section 5.2.4. How will free Non-Aqueous Phase Liquids removed from groundwater be managed? What is the status of the discharge permits for dewatering? Provide a copy of the permit(s) to MPCA and EPA when issued, and/or the general standards in the RAP. How will dewatering generally be managed? Describe pretreatment measures to be taken.

17. Section 5.3.2 Again, all soils need to be characterized for waste and disposal determination(s). It is difficult to consistently characterize soil based on appearance. Sample collection and analysis should be used for determinations.

18. Section 5.4.2.1 and Throughout. Again, all fill needs to be sampled for meeting the reuse criteria, not just visually field screened. Visual and olfactory observations are not sufficient for determining the disposition of excavated soils.

19. 5.4.5 Soil should be field screened and properly analyzed prior to disposal at landfill.

20. 5.4.6 Soil will be properly sampled and analyzed as per MPCA *Risk Based Site Characterization and Sampling Guidance* document prior to disposal.

21. Section 5.5. We request that the City deliver the implementation report to MPCA and EPA at the same time it is submitted to Minnesota Department of Transportation (MnDOT).

22. Section 5.6 Is a more comprehensive project schedule available to MPCA and EPA, please?

23. Section 5.7 Health & safety provisions are not sufficiently described. Perform the required monitoring, especially air monitoring.

24. Section 6.3 MPCA and EPA project staff shall be notified if free product is encountered.

25. Section 7.0. Is there a timeframe for submitting the final report to MnDOT? At minimum, we request that the report include total quantities of soil disposed and reused, and a demonstration that the reused soils met the MPCA criteria.

26. Please provide a copy of the *Environmental Drilling Investigation Work Plan* (SEH 2007), and the Geotechnical Investigation (3/19/2012).

27. What plans are in place to communicate with the public about the potential impacts of the project?

28. What is the excavation depth for the project?

29. Decontamination procedures for equipment leaving the site should be provided.

We appreciate your continued attention to this matter. If you have questions, feel free to call Nile Fellows at (651) 757-2352 or Michelle Kerr at (312) 886-8961.

Sincerely,

Michelle Kerr
Remedial Project Manager
Superfund Division
U.S. Environmental Protection Agency

Nile Fellows, Project Leader
Superfund Unit 1
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Remediation Division
Minnesota Pollution Control Agency

cc via e-mail: Mark Dierling, SEH
Jim Olson, City of St. Louis Park
William M. Gregg, Summit
Keri Aufdencamp, MnDOT
Dave Scheer, MPCA
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